



Office of the Attorney General
State of Texas

April 17, 1992

DAN MORALES
ATTORNEY GENERAL

Dr. Kenneth E. Beasley
Chief Administrative Officer
The City of El Paso
Two Civic Center Plaza
El Paso, Texas 79901-1196

OR92-162

Dear Dr. Beasley:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 15340.

The City of El Paso has received a request for information relating to the El Paso Museum of Art. Specifically, the requestor seeks:

a current inventory as well as any documentation you possess which would indicate whether or not identified pieces were donated to the Museum or the Association.

You advise us that the requested information does not exist and that you have asked the requestor to clarify his request.

The Open Records Act applies only to information in existence and does not require a governmental body to prepare new information. Open Records Decision No. 572 (1990). Accordingly, you are not obligated under the Open Records Act to provide the requestor with the requested current inventory. A governmental body, however, is obligated to make a good faith effort to relate a request to information which it holds. Open Records Decision No. 561 (1990) at 8. When a governmental body is presented with an unclear request for information rather than for specific records, it should advise the requestor of the types of information available so that he may narrow his request. *Id.* at 9. Once you have clarified the intent of the

request, you must release the requested information within ten days or request an open records decision from this office.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR92-162.

Yours very truly,

A handwritten signature in cursive script that reads "Mary R. Crouter".

Mary R. Crouter
Assistant Attorney General
Opinion Committee

MRC/GK/lmm

Ref.: ID# 15340

cc: Bernard J. Panetta, II
Caballero, Panetta & Ortega
521 Texas Avenue
El Paso, Texas 79901